

>>> <MCurtis401@aol.com> 01/20/04 09:29AM >>>

Dear Linda:

Attached is slightly revised Lynch language with some punctuation changes.

We think the comma use needs clarification. Too many comma indicate division

and separation. The intent, Mohave believes, is to be inclusive and

encompassing. Deleting some comma use makes it clear there is a single situation for the

consideration of the Administrator: change. With its suggested changes, Mohave

approves of the Section 12 language.

Mohave Electric by Michael A. Curtis

- Notwithstanding any other provision of the contract to the contrary, Western's Administrator reserves the right to conform Western's firm electric service obligations under this contract as he or she deems reasonably appropriate if the Contractor's **status as a preference entity changes or, when applicable, its obligation to supply electricity to preference entities changes or as a result of a change in contractor status** including but not limited to: (1) merger with another organization, (2) acquisition of or being acquired by another organization, (3) creating a new organizational entity from an existing one, (4) joining or withdrawing from, or contractually restructuring its membership in, a member-based power supply organization, or (5) if the Contractor is a member-based power supply entity (such as a generation and transmission cooperative), losing or altering its contractual relationship with one or more members from its membership organization."